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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/584,457

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Markus Baumann

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EXAMINER

PITARO, RYAN F

ART UNIT

PAPER NUMBER

2174

MAIL DATE

DELIVERY MODE

12/11/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/584,457	Applicant(s) BAUMANN ET AL.	
	Examiner RYAN F. PITARO	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/11/2007, 6/22/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

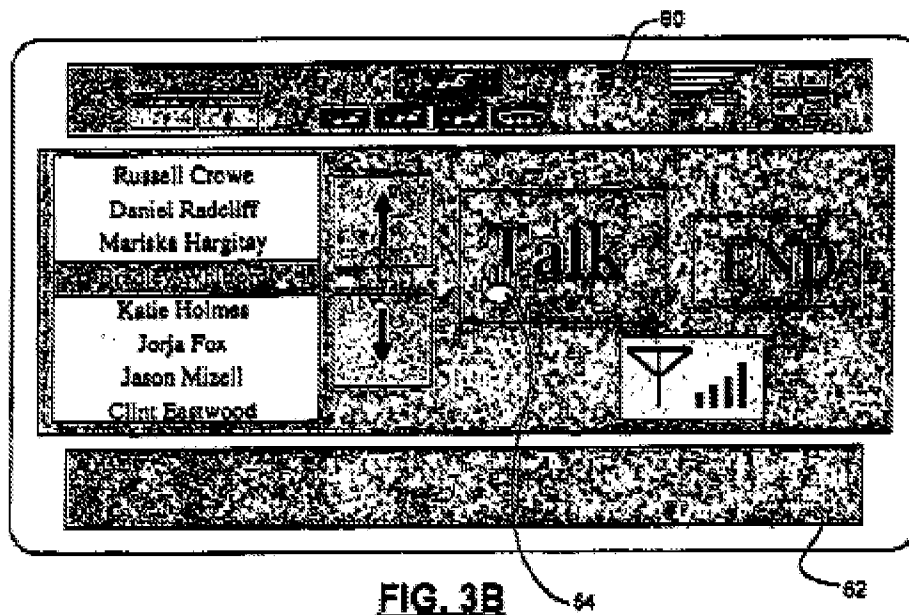
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichinose ("Ichinose", US 6,819,990) in view of Isensee et al ("Isensee", US 5,550,559).

As per claim 7, Ichinose teaches a control system for a motor vehicle, comprising: a manual actuating device with a plurality of degrees of freedom of adjustment for at least one of selecting and activating entries in a menu structure with a plurality of menu levels (Column 3 lines 10-15, 45-60, Figure 6); a screen display having

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a plurality of display areas for displaying the menu structure



each of said display areas comprising at least one field for displaying one of the entries wherein, in an active one of said display areas in at least one menu level (60,54,62 above), a plurality of said entries are arranged in a first display area which is configured as a list (Figure 3b above , list).

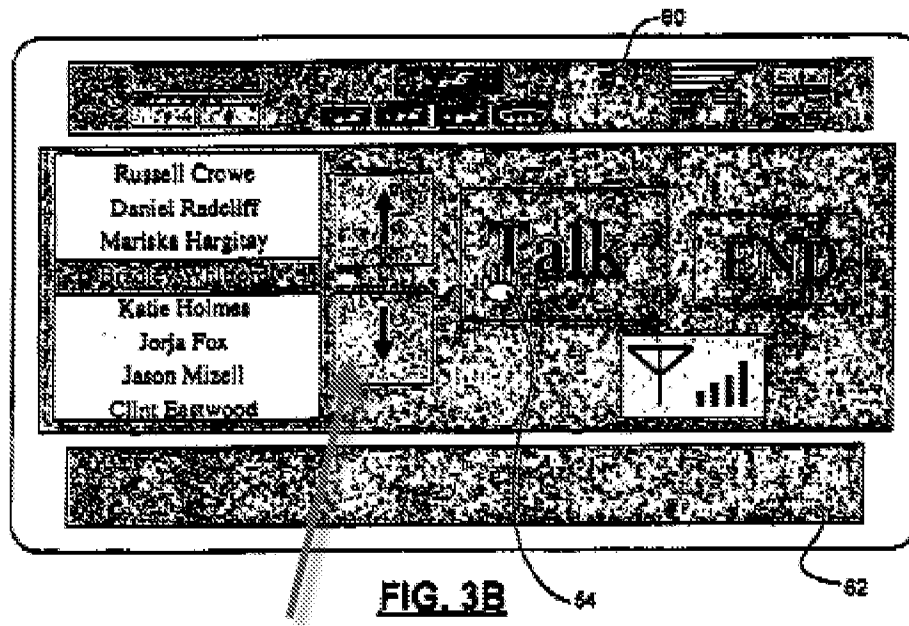
Ichinose fails to distinctly point out an additional field for displaying the position of a currently selected entry. However, Isensee teaches at least one additional field for displaying the position of a currently selected entry in the list is activated and displayed if the number of entries exceeds a maximum number of entries which can be displayed in the list (Column 1 lines 35-50).

Therefore it would have been obvious to combine the additional scroll field of Isensee with the system of Ichinose. Motivation to do so would have been to make the graphical user interface more user friendly and efficient.

As per claim 8, Ichinose-Isensee fails to teach the additional field above or below the list. However, OFFICIAL NOTICE is taken that the position of the additional field is merely one of design choice and the field of Isensee could be arranged horizontally below the list and would yield predictable results. Therefore it would have been obvious to combine the current teaching with the system of Ichinose-Isensee.

As per claim 9, Ichinose-Isensee fails to teach the the at least one additional field is configured as a scale area with a horizontally arranged scale in which the position of the currently selected entry in the list is marked by a particular graphic display. However, OFFICIAL NOTICE is taken that the position of the additional field is merely one of design choice and the field of Isensee could be arranged horizontally below the list and would yield predictable results. Therefore it would have been obvious to combine the current teaching with the system of Ichinose-Isensee.

As per claim 10, Ichinose-Isensee teaches the control system as claimed in claim 7, wherein the at least one additional field is arranged at least one of to the left and right of the list.



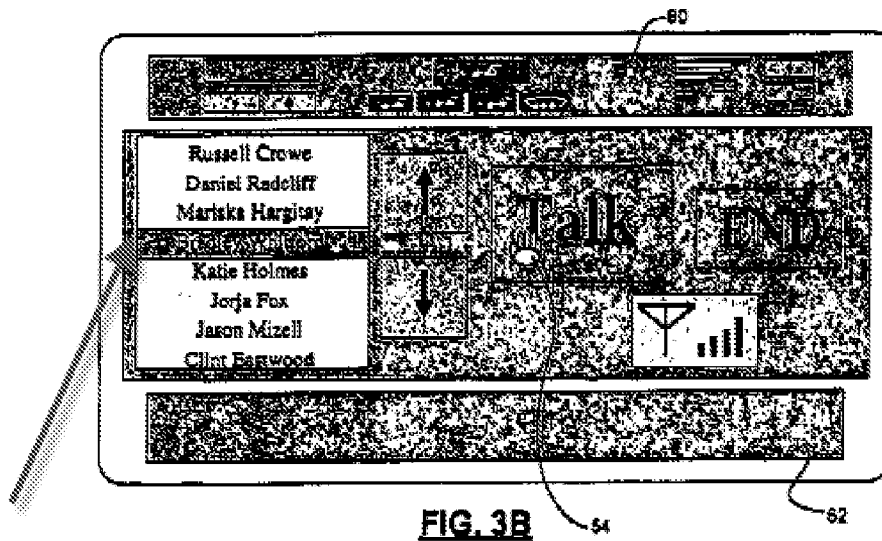
additional field to the right

As per claim 11 ,Ichinose-Insensee teaches the control system as claimed in claim 10, wherein the at least one additional field is configured as a scale area with a vertically arranged scale in which the position of the currently selected entry in the list is marked by a particular graphic display (Insensee, Column 1 lines 31-50 , Figure 3) .

As per claim 12 ,Ichinose-Insensee teaches the control system as claimed in claim 9, wherein the particular graphic display of the marking is implemented with at least one of a different shape and a different color and a different size (Ichinose, see

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figure below).

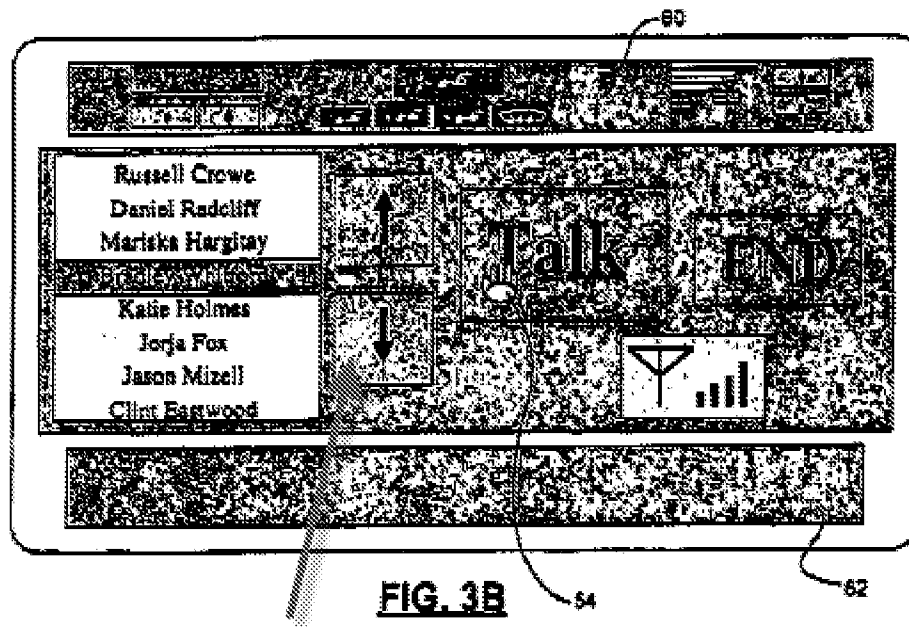


highlight

As per claim 13, Ichinose-Insensee teaches control system as claimed in claim 8, wherein the at least one additional field is arranged at least one of to the left and right of

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the list.

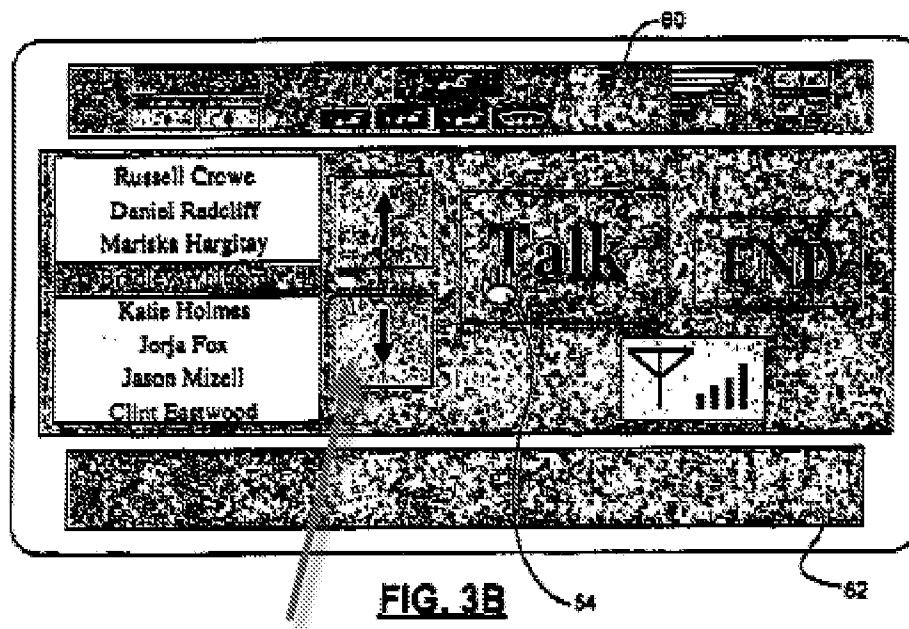


additional field to the right

As per claim 14, Ichinose-Insensee teaches the control system as claimed in claim 9, wherein the at least one additional field is arranged at least one of to the left

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and right of the list.

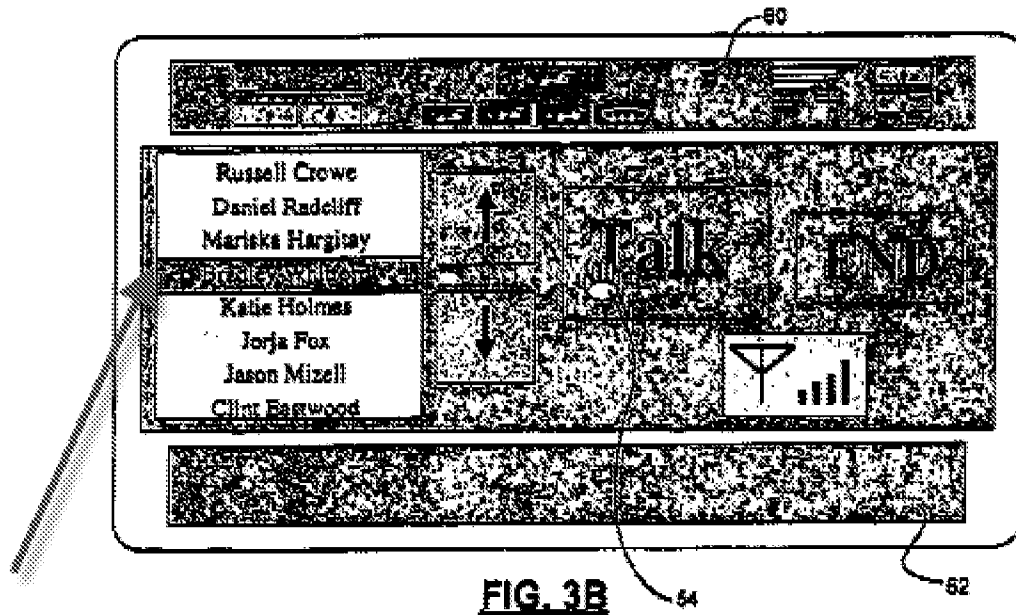


additional field to the right

As per claim 15, Ichinose-Insensee teaches the control system as claimed in claim 11, wherein the particular graphic display of the marking is implemented with at

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least one of a different shape and a different color and a different size.



Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN F. PITARO whose telephone number is (571)272-4071. The examiner can normally be reached on 9:00am - 5:30pm Mondays through Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on 571-272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ryan F Pitaro/
Examiner, Art Unit 2174